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ACTION ARA-14

INFO OCT-01 ISO-00 DHA-05 SSO-00 /020 W  
-----104718 292259Z /70

O 292200Z AUG 77  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC IMMEDIATE 1984

[REDACTED] SECTION 1 OF 2 BUENOS AIRES  
E.O. 11652: GDS  
TAGS: SHUM, PINT, PINS, AR  
SUBJECT: HUMAN RIGHTS DEVELOPMENTS

REF: STATE 205885

ARGENTINA PROJECT (S200000044)

RECEIVED STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

Declassify: ☐ In Part ☒ In Full

☐ Classify as ☐ Extend as ☐ Downgrade to

Date Declassify on Reason

1. SUMMARY: WHILE HUMAN RIGHTS PICTURE CONTINUES MIXED, FAVORABLE DEVELOPMENTS APPEAR TO OUTNUMBER REPORTS OF VIOLATIONS IN PERIOD SINCE EMBASSY'S LAST ROUNDUP. ON FAVORABLE SIDE GOVERNMENT'S ANNOUNCEMENT OF ITS INTENTION TO REESTABLISH QUALIFIED RIGHT OF OPTION TO LEAVE COUNTRY AND THE CHARGING OF A POLICE CHIEF WITH ABUSE OF HIS AUTHORITY ARE THE TWO MOST NOTABLE EVENTS. GOVERNMENT LEADERS HAVE ALSO ADMITTED PUBLICLY OR PRIVATELY, THAT UNCONTROLLED ELEMENTS OF SECURITY FORCES ARE NOW A MAJOR COMPONENT OF RIGHTS VIOLATIONS. RECOGNITION AND ADMITTING TO THIS PROBLEM MAY REPRESENT EVEN GREATER PROGRESS. ON THE NEGATIVE SIDE, THE GOVERNMENT USED EXCESSIVE FORCE IN BREAKING UP A GROUP OF MOTHERS WHO GATHER AT PLAZA DE MAYOR TO MOURN THEIR DISAPPEARED CHILDREN. WHILE ALL WHO WERE ARRESTED WERE REPORTEDLY RELEASED SOON THE EVENT COULD BE NEWSWORTHY. TERRORIST ACTIVITIES WERE AT A GENERALLY LOW LEVEL, THOUGH THERE WERE A NUMBER OF ASSASSINATIONS DURING THE PERIOD AND NUMEROUS BOMBINGS AROUND THE AUGUST 22 TERRORIST ANNIVERSARY. REPORTS OF GOVERNMENT FORCES OPERATING AGAINST TERRORISTS CONTINUED AT A

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LOW LEVEL. END SUMMARY

2. REESTABLISHMENT OF RIGHT OF OPTION:  
MINISTER OF THE INTERIOR, BRIG. GENERAL HARGUINDEGUY  
CALLED IN THE LEADERSHIP OF THE NATIONAL BAR ASSOCIATION  
(FEDERACION DEL COLEGIO DE ABOGADOS) ON AUGUST 26,  
TO ANNOUNCE THAT GOA WOULD SOON REESTABLISH THE  
CONSTITUTIONAL RIGHT OF PERSONS ARRESTED AND HELD WITHOUT  
CHARGES UNDER THE EXECUTIVES STATE OF SEIGE POWERS TO  
PETITION FOR SELF EXILE. HARGUINDEGUY ALSO INFORMED THE  
BAR LEADERS THAT THE MINISTRY OF INTERIOR WAS UNDERTAKING  
INVESTIGATION OF THE REPORTS WHICH IT HAS RECEIVED REGARDING  
DISAPPEARANCES.

ARGENTINE OFFICIALS HAVE BEEN SIGNALLING FOR SOME MONTHS  
THAT REESTABLISHMENT OF SOME FORM OF THE RIGHT OF SELF  
EXILE WAS UNDER CONSIDERATION WITHIN THE VIDELA GOVERNMENT.  
THE INTERIOR MINISTRY ANNOUNCED ON JUNE 17 THAT THE  
IMPLEMENTING REGULATIONS FOR THE RIGHT OF OPTION WERE  
BEING CIRCULATED WITHIN THE EXECUTIVE BRANCH. (SEE  
BA 5028) HUMAN RIGHTS COORDINATOR DERIAN, ASSISTANT  
SECRETARY TODMAN AND CODELS YATRON AND HOLLINGS WERE  
ASSURED PRIVATELY THAT REESTABLISHMENT OF THE RIGHT OF  
OPTION WAS LIKELY IN THE NEAR FUTURE. HOWEVER, THE  
AUGUST 26 HARGUINDEGUY STATEMENT IS THE FIRST PUBLIC  
STATEMENT FROM A SENIOR ARGENTINE OFFICIAL.

THE BAR ASSOCIATION HAD PETITIONED TO SEE PRESIDENT IN LATE  
JULY TO DISCUSS THE ABDUCTION OF 8 LAWYERS AND 3 OF THEIR  
WIVES IN MAR DEL PLATA. (SEE BA 5217) HARGUINDEGUY'S MEETING  
WITH THE BAR ASSOCIATION CHIEFS WAS THE GOVERNMENTS  
RESPONSE TO THAT REQUEST AND WAS TIMED TO OCCUR ONE DAY  
BEFORE THE NATIONAL BAR ASSOCIATION LEADERS MET  
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IN ROSARIO.

HUMAN RIGHTS GROUPS GREETED THE PUBLIC ANNOUNCEMENT  
MATTER OF FACTLY. THE REESTABLISHMENT ANNOUNCEMENT  
WAS EXPECTED. REPRESENTATIVES FROM BOTH THE PERMANENT  
ASSEMBLY ON HUMAN RIGHTS AND ARGENTINE CHAPTER OF PAZ Y  
JUSTICIA INDICATED THAT THE EFFECTIVENESS OF THE  
GOVERNMENT'S ACTION WOULD ONLY BE SEEN WHEN THE

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IMPLEMENTING REGULATIONS WERE PUBLISHED.

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LAST WEEK FOREIGN MINISTRY COORDINATOR FOR EXTERNAL AFFAIRS, CAPT. CASTRO INDICATED THAT THE DESIGNING OF THE RIGHT OF OPTION PROGRAM POSED A DIFFICULT POLICY QUESTION FOR THE GOA AS THERE WAS GREAT RELUCTANCE TO RELEASE ANY INDIVIDUALS WHO WOULD SERVE AS "TROUBLEMAKERS" OUTSIDE THE COUNTRY. THE POLITICAL IMPACT OF THE PERON EXILE PERIOD IN ARGENTINA WAS SOMETHING THE MILITARY GOVERNMENT WANTED VERY MUCH TO AVOID IN THE FUTURE. GIVEN THE MILITARY GOVERNMENT'S ABILITY TO DELAY THE EXERCISE OF THE RIGHT OF OPTION OR TO CHARGE A PERSON FOR A CRIME, REESTABLISHMENT OF THE RIGHT OF OPTION POSES NO THREAT TO THE GOVERNMENTS COUNTER SUBVERSION PROGRAM AND GIVENS THEM CREDIT INTERNATIONALLY FOR RESTORING THE CONSITUTIONAL PROVISION.

### 3. DISAPPEARANCES

REPORTS FROM ARGENTINE HUMAN RIGHTS GROUPS INDICATE THAT REPORTED DISAPPEARANCES DURING THE MONTH OF AUGUST ARE DOWN. THEY ASCRIBE THIS TO THE PRESENCE IN ARGENTINA OF A SERIES OF U.S. ADMINISTRATION AND CONGRESSIONAL OFFICIALS. NO NEWS HAS BEEN TURNED UP WITH RESPECT TO THE WHEREABOUTS OF ARGENTINE AMBASSADOR HIDALGO SOLA, THE LAWYERS STILL MISSING IN MAR DEL PLATA, AND NEWS EDITOR RODOLFO PONDAL. THE ARGENTINE PUBLISHERS ASSOCIATION (ADEPTA) HAS CALLED FOR AN INTENSIVE INVESTIGATION OF THIS CASE AND OTHERS INVOLVING JOURNALISTS.

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4. HUMAN RIGHTS DEMONSTRATIONS:

POLICE ON AUGUST 25 BROKE UP A REGULAR GATHERING OF THE MOTHERS OF "DISAPPEARED" CHILDREN HELD EACH THURSDAY IN PLAZA FRONTING THE PRESIDENT'S PALACE.

--MOTHERS OF DISAPPEARED CHILDREN BEGAN PRATICE OF GATHERING IN MID-JULY ON THURSDAY AFTERNOONS IN THE PLAZA DE MAYO TO DEMONSTRATE THEIR CONCERN OVER THEIR CHILDREN'S DISAPPEARANCES AND TO TRADE INFORMATION. ON AUGUST 15 DURING ASSISTANT SECRETARY TODMAN'S CALL ON PRESIDENT VIDELA, POLICE ESTIMATE THAT 400 MOTHERS GATHERED IN THE PLAZA. POLICE INFORMED MOTHERS THAT IF THEY WOULD MOVE TO CENTER OF THE PLAZA (AWAY FROM TODMAN ROUTE) PRESIDENT VIDELA WOULD MEET WITH THEM. AFTER WOMEN WERE MOVED, AMERICAN NEWSWOMAN SALLY CHARDI, ARRIVED. MOTHERS, BELIEVING HER TO BE REPRESENTATIVE OF US EMBASSY BEGAN GIVING HER PETITIONS FOR SECRETARY TODMAN.

ACCORDING TO MRS. CHARDI A PLAINCLOTHES POLICEMAN APPEARED, TOOK HER PASSPORT AND ORDER HER TO LOCAL POLICE STATION. A GROUP OF 20 TO 30 MOTHERS SURROUNDED THE POLICEMAN, TOOK CHARDI PASSPORT FROM HIM BY FORCE, AND ESCORTED AMERICAN NEWSWOMAN FROM THE PLAZA SAFELY.

--TEN DAYS LATER DURING REGULAR THURSDAY GATHERING UNIFORMED POLICE CHASED 50 TO 100 MOTHERS FROM PLAZA DE MAYO. FIFTEEN WOMEN WERE PICKED UP FOR DISORDERLY CONDUCT, QUESTIONED AND, ON INSTRUCTIONS FROM MINISTRY OF INTERIOR, WERE RELEASED WITHOUT BEING CHARGED.

--THESE SMALL INCIDENTS WERE ONLY REPORTED BY ENGLISH SPEAKING "HERALD" BUT ARE WIDELY KNOWN. ALTHOUGH EMBASSY HAS RECEIVED ONE REPORT THAT MININT HARGUINDEGUY REMARKED LAST WEEK TO VISITOR THAT MOTHERS' DEMONSTRATIONS MUST BE ENDED, THERE IS NO CONFIRMATION THAT ACTION WAS CONSIDERED

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GOVERNMENT POLICY.

5. VIOLENCE:

AUGUST SAW LOW LEVEL OF ACTIVITY ON BOTH THE LEFT AND THE RIGHT. A FEW MONTONERO LEAFLET BOMBS WERE SET OFF.

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A CAR LOADED WITH EXPLOSIVES WAS EXPLODED IN FRONT OF A SUBURBAN TRAIN INJURING A TRAINMAN. THE FIRM WHICH RECENTLY PUBLISHED FORMER PRESIDENT LANUSSE'S BIOGRAPHY WAS BOMBED AT NIGHT WITH NO INJURIES REPORTED. A BOMB WAS EXPLODED AGAINST THE HOUSE OF RICARDO YOFRE, UNDER SECRETARY GENERAL OF THE PRESIDENCE. THERE WERE NO CASUALTIES AS THE FAMILY WAS IN THE COUNTRY.

6. ACTION AGAINST ABUSES:

IN A UNPRECEDENTED CASE, A FEDERAL JUDGE ARRESTED A PRECINCT POLICE CHIEF FOR ABUSING HIS AUTHORITY. ON AUGUST 10 POLICE CHIEF FRANCISCO ROVERT SANCHEZ WAS ARRESTED BY JUDGE GUILLERMO LEDESMAN FOR USING HIS POLICE AUTHORITY IN A PERSONAL FEUD. REPORTEDLY, THE POLICE CHIEF WAS INTIMIDATING ANOTHER FAMILY BY CARRYING OUT ANTI-SUBVESIVE OPERATIONS AGAINST THEM TO SETTLE A PERSONAL GRIEVANCE. ALTHOUGH EMBASSY HAS LEARNED PRIVATELY OF DISCIPLINARY ACTIONS TAKEN AGAINST POLICE AND MILITARY OFFICIALS FOR EXCESSES, THIS IS THE FIRST CASE WHERE CORRECTIVE ACTIONS HAVE BEEN GIVEN PUBLICITY IN THE ARGENTINE PRESS.

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